THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO. 11007 of 1997

DATE: 13-02-2007

Between :

Varigonda Krishnamma and 20 others

… Petitioner

And

The District Collector,
Nellore and 2 others.

… Respondents

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO. 11007 of 1997

ORDER:

The petitioners, 21 in number, filed this writ petition seeking a declaration that the notice dated 16-05-1997 issued by the third respondent under the provisions of the Andhra Pradesh Land Encroachment Act, 1905, calling upon them to show cause as to why they should not be evicted from the small extents of the land in their possession is arbitrary and illegal.

It is claimed by the petitioners that they have constructed small residential houses on the land in question and that they also made representations requesting to assign the lands in their favour, which are pending. Hence, it is contended that the impugned action initiated by the third respondent while their representations are under process is arbitrary and illegal.

Though Rule Nisi was ordered on 19-08-1997, no counter affidavit has been filed by any of the respondents opposing the petitioners' claim. The interim order dated 19-08-1997 directing to maintain *status quo* regarding the possession of the petitioners obtaining as on that date has been in operation through out.

Having regard to the facts and circumstances of the case and particularly in view of the fact that the petitioners' representations for assignment in respect of small extents of land in their possession are pending, I deem it appropriate to dispose of the writ petition with a direction to the respondents to consider the

request of the petitioners and pass appropriate orders, in accordance with law, if not already passed. Till such time, the *status quo* ordered by this Court on 19-08-1997 shall continue. No costs.

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G. ROHINI, J.

Dt. 13-02-2007
KLP